

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIGGETT PHELPS,  
Plaintiff,

v.

MARIN FEDERAL CREDIT UNION,  
Defendant.

Case No. 24-cv-02359-RFL

**ORDER OF DISMISSAL**

Re: Dkt. No. 6

On April 26, 2024, the Court denied Briggett Phelps's application to proceed *in forma pauperis* and ordered her to pay the \$405.00 filing fee according to the following schedule: partial payment of \$205.00 by June 14, 2024, and the remaining balance by August 14, 2024. (Dkt. No. 6.) Phelps was also advised that failure to make scheduled payments would result in dismissal of this action without prejudice. (*Id.*) To date, Phelps has not made the initial \$205.00 payment. Accordingly, the action is **DISMISSED WITHOUT PREJUDICE** for failure to pay the filing fee and for failure to prosecute. *See* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Phelps may ask to reopen the action. Any such motion must have the words "MOTION TO REOPEN" written on the first page and contain either (1) an amended application to proceed *in forma pauperis* demonstrating that Phelps is unable to pay the filing fee, or (2) a statement that Phelps has paid the \$405.00 filing fee in full, after such payment has been made. The Clerk of the Court shall enter judgment in favor of Marin Federal Credit Union and against Briggett C. Phelps, and close the case.

**IT IS SO ORDERED.**

Dated: June 20, 2024



RITA F. LIN  
United States District Judge